

08-25-04

184/15



Attorney Docket No. 033638-018 Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop: Amendment

In re Patent Application of
John Gregory Aceti et al.
Application No.: 10/722,074
Filing Date: November 24, 2003
Title: ANALYTE MONITOR

Group Art Unit: 1743
Examiner: Unassigned
Confirmation No.: 4158

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ Terminal Disclaimer(s) and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☒ Also enclosed is/are Second Preliminary Amendment/Return Postcard

- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$385.00 (2801) ☐ \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted _____
_____ on _____
for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

- ☐ No additional claim fee is required.
- ☒ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	73	MINUS 48 =	25	x \$18.00 (1202) =	\$ 450.00
Independent Claims	11	MINUS 6 =	5	x \$86.00 (1201) =	\$ 430.00
If Amendment adds multiple dependent claims, add \$290.00 (1203)					
Total Claim Amendment Fee					\$ 880.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 880.00

- ☒ A check in the amount of \$ 880.00 is enclosed for the fee due.
- ☐ Charge _____ to Deposit Account No. 02-4800.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650) 622-2300

By T. Gene Dillahunt
T. Gene Dillahunt
Registration No. 25,423

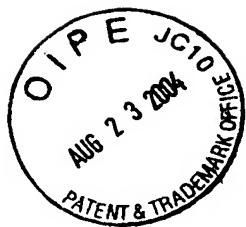
Date: August 23, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

"Express Mail" Mailing Label No.: EV346845877US Date of Deposit: August 23, 2004

T. Gene Dillahunt
T. Gene Dillahunt

Typed Name:



"Express Mail" mailing label No. EV346845877 US
Date of Deposit August 23, 2004

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For: ANALYTE MONITOR)	

SECOND PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

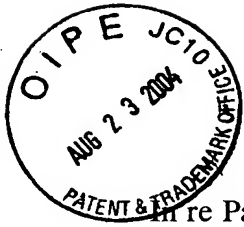
Sir:

Prior to examination of the above-identified application on the merits, please amend
the application as follows.

08/26/2004 JBALINAN 00000084 10722074

01 FC:1201	430.00 OP
02 FC:1202	450.00 OP

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IN THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-7 (Canceled).

Claims 8-47 are pending in the application.

Please add the following new claims 48-80.